

# **EXHIBIT 28**

Joseph Garcia (center) and attorney Brad Lollar listen as Judge Vickers Cunningham reads the jury's decision.

## BLACK HISTORY MONTH

### Art historian's lecture postponed until March

The lecture by Dr. Regenia Perry, an art historian, scheduled for Saturday at the African

American Museum, 3536 Grand Ave. at Fair Park, has been postponed until March. Hands-on art activities will be available from 11 a.m. to 4 p.m. Call 214-566-9026.

# Escapee sentenced to death in slaying

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fore returning the same sentences against ringleader George Rivas and escapee Donald Newbury.

Defense attorneys for Mr. Garcia, 31, argued that he deserved to be confined in a solitary prison cell the rest of his life. Defense attorney Brad Lollar urged jurors to consider Mr. Garcia's abusive and neglectful background, which Mr. Lollar said reduced his client's moral responsibility and explained some of his actions.

"Each of you were blessed with someone in your life that gave you direction," Mr. Lollar said. "Joseph never had any of that at all."

Mr. Garcia's aunt, former wife, former mother-in-law and former Child Protective Services caseworker testified in his defense. They said his destitute and uneducated family subjected him to neglect and emotional and physical abuse. His mother, who was hooked on drugs and men before she died from AIDS, moved in and out of his life, according to testimony.

Prosecutors Toby Shook and Tom D'Amore said Mr. Garcia had been serving a 50-year prison term for brutally stabbing a man to death when he escaped Dec. 13, 2000, from the maximum-security Connally Prison Unit in South Texas.

Michael Luna of San Antonio suffered 19 stab wounds to his torso and seven facial slashes after an argument with Mr. Garcia in February 1986.

Prosecutors cited testimony from prison guards and Ohman's employees that Mr. Garcia threatened and bullied them.

Mr. Shook said that Mr. Garcia has never shown remorse for killing Mr. Luna and that his behavior in prison positioned him to escape. Mr. Shook said that if Mr. Garcia received a life term, he would plot to escape, wreak more havoc and harm more victims.

"If you're capable of murder-



Aubrey Hawkins

ing an officer in this manner, you're capable of anything," Mr. Shook argued. Officer Hawkins had been dispatched to investigate a suspicious-persons call, but he interrupted the escaped convicts' armed robbery of the business. Prosecutors said that the patrolman was slain within 24 seconds of arriving and that the escapees stole 44 guns and \$100,000 in cash.

Mr. Luna's father, Mike Luna, delivered a victim-impact statement in which he thanked investigators and prosecutors in his son's and Officer Hawkins' cases. He introduced his family gathered in court and spoke kindly to Mr. Garcia's loved ones.

"You didn't let him down," Mr. Luna said. "He let himself down. ... Today is not a proud day, but a day we will remember for the rest of our lives."

Jayne Hawkins, the officer's mother, said she thought the string of trials would get easier, but instead they've become more difficult.

"This trial is the same song, fourth verse," she said. "My heart will not rest ... and I don't feel Aubrey is at peace until they are over. Aubrey faced each one of you, and I will face each one of you."

She urged more reforms at the Texas Department of Criminal Justice, which she partly blames for her son's murder. She encouraged Mr. Garcia to take responsibility for his actions.

Ms. Hawkins said the escapees would never spoil her memory of her son's gentle spirit, and she thanked jurors for their verdict.

"Justice was done for my son today."

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swimming and diving instructor, by confinement of his license.

Mr. Hallman's charges, however, may have opened a door for many of the men the Sheriff's Department has interviewed in recent weeks.

The allegations of abuse surfaced in a lawsuit filed in state district court last month by Will Hallman and his parents, William and Nancy Hallman. Will Hallman also has given a sworn statement to Tarrant County investigators,

## Parents, gi

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sous contend, is enough to cause alarm and justify a 90-day suspension. But they said Terry had written another poem a week before in which he also made morbid references to their daughter.

In addition, they said, Terry had threatened to "smack down" Allison during a classroom argument that a vice principal had to quell. Allison also said that Terry had been harassing her all year because she is ranked ahead of him in their senior class and that he keeps a binder of classmates whom he considers some kind of "rivals."

Terry has acknowledged the "smack down" comment, but he said that was only banter during a classroom argument, that he didn't

## LOTTO

### LOTTO TEXAS

Wednesday

1 18 20 21 52 54

Jackpot: \$5 million

Number of winners: 1

Winning ticket sold in: Midland

Wednesday's results

5 of 6	5 of 5	4 of 5
1	22	3,827
46,142		

Next drawing: Thursday

Estimated jackpot: \$5 million

### CAUTION

Wednesday's results

5 of 6	5 of 5	4 of 5
1	22	3,827
46,142		